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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/588,712	08/08/2006	Wolfgang Fischer	W1.2278 PCT-US	1992
7590 Douglas R Hanscom Jones Tullar & Cooper Eads Station PO Box 2266 Arlington, VA 22202			EXAMINER KRUER, STEFAN	
			ART UNIT 3654	PAPER NUMBER
			MAIL DATE 07/09/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/588,712	Applicant(s) FISCHER ET AL.	
	Examiner Stefan Krueer	Art Unit 3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27 - 52 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 27 - 36, 39, 43 - 47 and 49 - 52 is/are rejected.
- 7) ☒ Claim(s) 37 - 38, 40 - 42 and 48 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8 August 2006</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 27 – 36, 39, 43 – 47 and 49 - 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Traise (4,007,866) in view of Kampf (4,387,861).

Re: Claims 27 and 43, Traise discloses a method for threading a material web (1, Fig. 1) in a web processing machine (Fig. 1) including:

- providing a web receiving area (encompassing 2) in said web processing machine;
- providing a web delivery area (incl. 13, 16, 17, 18) in said web processing machine;
- providing a web threading path extending between said web receiving area and said web delivery area (defined by travel from 2 through 18);
- providing a web threading means (understood) adapted for receiving said material web and being conveyable between said web receiving area and said web delivery area;
- providing a first web threading means drive motor (3, 3') at said web receiving area;
- regulating said first motor at a predetermined web threading speed (Col. 6, L. 10 – 12); however,

Traise is silent with respect to a second motor at said web delivery area.

Attention is directed to Kampf who teaches his second motor (18, Col. 3, L. 29 and Col. 4, L. 40) at his web delivery area (15) and regulating said second motor at a

predetermined motor torque, for affording tension control while minimizing drive capacity (Col. 2, L. 26) of his first motor.

It would have been obvious to one of ordinary skill in the art to modify the reference of Traise with the teaching of Kampf for savings in costs.

Re: Claim 28, Traise discloses further including regulating said first motor with regard to its motor speed (Col. 6, L. 25).

Re: Claims 29 and 44, Traise discloses further including providing a frequency converter (22) and using said frequency converter for regulating said first motor.

Re: Claim 30, Traise discloses further including providing a first reel body (2) about which said threading means is unwound and using said first motor for driving said first body; however, Traise is silent with respect to a second reel body.

Attention is directed to Kampf who teaches his second reel body (15) and using said second motor for driving said second reel body for purpose of providing wound material and affording tension control independent of sheet/threading speed.

It would have been obvious to one of ordinary skill in the art to modify the reference of Traise with the teaching of Kampf for performance.

Re: Claim 31, though Traise is silent with respect to a current diameter of his reel body, Traise reviews the use of indicia marks at his first reel body for comparison with said marks at his web delivery area and regulating his first motor accordingly to maintain desired tension control (Col. 3, L. 30 – 45), thereby inherently disclosing regulating his first motor with respect to a current diameter of his reel body.

Re: Claims 32 – 36, 45 and 49 - 51, Traise discloses the speed control of his web processing machine through his mark sensors (7, 15) and his speed transducers (21, 22) for input to his control device (20) to regulate his first motor, regardless of the thickness of his web/threading device (Col. 3, L. 5).

Kampf teaches the prior art of regulating a first motor with respect to a reel body current diameter (Col. 1, L. 32) as well as his inventive feature of regulating his first motor independent of his reel body current diameter, therein in the alternative to:

- including providing a control device and using said control device for determining a target value of a frequency load to said at least one motor depending on said reel body current diameter.
- including determining said current reel body diameter depending on a number of layers of said threading means wound on said reel body and a thickness of said threading means and further depending on an initial diameter of said reel body.
- including providing a rotation sensor on one of said reel body and its drive, calculating a number of rotations of said reel body and using said number of rotations for determining said number of layers of said threading means wound on said reel body.
- including determining said number of rotations of said reel body in said receiving area.
- including determining said number of rotations of said reel body in said delivery area.

Nevertheless, in that Kampf briefly reviews the prior art in which the detection of a reel body current diameter is a control parameter, the aforementioned rotation sensors and determining of reel body diameter depending on a number of layers of said threading means would have been obvious to one having ordinary skill in the art.

Re: Claims 39 and 46 - 47, Traise is silent with respect to at least one mechanically independent assembly in said web processing machine.

Attention is directed to Kampf who teaches his one mechanically independent assembly (11, Col. 3, L. 17 and 62- 68) in his web processing machine and a machine control (22) usable to provide speed relevant signals to said one of said first and second motors and to said at least one mechanically independent assembly, for feature of enhanced tension control.

It would have been obvious to one of ordinary skill in the art to modify the reference of Traise with the teaching of Kampf for performance.

Allowable Subject Matter

Claims 37 – 38, 40 – 42 and 48 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Traise (3,955,737) and Drake (1,925,866) are cited for methods and devices for threading a web in a web processing machine.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefan Kruer whose telephone number is 571.272.5913. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on 571.272.6856. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866.217.9197 (toll-free).

/Stefan Kruer/

Examiner, Art Unit 3654

7 July 2008

/Peter M. Cuomo/

Supervisory Patent Examiner, Art Unit 3654